

they are dying of mistreatment, and it goes on every single day.

It is unfortunate that a celebrity trial will get significant coverage on the evening news; the suffering in places such as Darfur will not. We need to appeal to the conscience of this great and good Nation. Most Americans are appalled by what they see, but many Americans never get to see it because not enough attention is given.

We have included \$30 million for a new initiative to combat six debilitating diseases such as elephantiasis and intestinal parasites. These cause terrible afflictions for millions of people, many of them children. We never see these in our country because they are easily prevented. They can be cured with minuscule amounts of money, and they have been neglected for far too long.

Many of these diseases, especially in Africa, will cause people to be almost condemned to debilitating diseases, children to horrible parasites, and yet for sometimes pennies, at the most a few dollars, it can be prevented and their life, their hell on Earth, could be prevented.

We have included \$105 million for antimalaria programs. A portion of that will be used to fund the President's new malaria initiative, which I strongly support.

We provide another \$10 million for USAID's Amazon basin and conservation strategy, and we maintain funding for other programs protecting the environment. Again, I urge this money be spent to actually do it, that it actually go into the conservation strategy. We know it needs to be done. We do not need to enlarge bureaucracies in Washington. We need to be on the ground doing the work.

We include additional conditions on our assistance to Nepal on account of the Nepalese King's attempts to dismantle the fledgling democracy there. My key staff member on Foreign Operations, Tim Rieser, was recently in that country. We know the King's decision to dissolve the government, arrest political opponents, and restrict the press is making a solution to that conflict more elusive, isolating Nepal both politically and economically.

We include conditions on funding for the demobilization of foreign terrorist organizations in Colombia. The framework that was recently approved by the Colombian Congress falls far short of what is minimally required to dismantle these horrible terrorist organizations.

We restore the administration's proposed \$11 million cut in our contribution to UNICEF. This saves millions of children's lives. When this country speaks of helping others, why would we be cutting money out of UNICEF? It would have been unthinkable to go along with that cut.

There is a great deal more, and I again commend Senator McCONNELL for what I believe is one of the best foreign operations bills in recent years.

We are going to have a difficult conference with the other body, but if we get the conference budget allocations we need, we should end up with a good result.

I hope Senators who have amendments will make sure they belong on this bill; this is not an authorization bill, this is an appropriations bill—and bring the amendments as soon as they can.

Mr. President, the chairman has stepped off the floor for a moment. I am about to suggest the absence of a quorum, but not quite yet. I repeat, if there are Senators who have amendments, come forward with them. I will be very happy to go to third reading—let's see, it is 20 minutes of 11. I would certainly be willing to wait 5 or 10 minutes to see if anybody has an amendment. I will be glad to do that. I don't think either side requires a rollcall vote.

More seriously, Mr. President, America is the wealthiest, most powerful Nation on Earth. It is a nation with a great moral core. We saw that during the terrible tsunami in recent months, when we poured out aid from this country, not only our Government but even greater amounts from individuals. I know in my church and most people's churches, their synagogues, their mosques, there were collections for money to help aid the tsunami victims. Civic groups, other groups, the Red Cross, Catholic Relief Services, and so many others raising money in the various service clubs—Lion's, Rotary, Kiwanis—it reflects the nature of Americans. We help our neighbors when they are in trouble. We help our neighbors even when they are on the other side of the globe.

So much of what goes on we don't see. We don't see the millions of children who die each year. We don't see the horrible percentage of paternal deaths. We don't see these debilitating and crippling diseases that could so easily be cured. We don't see the need to provide, such as Senator Dole and Senator McGovern proposed, a school lunch program in many poor parts of the world so not only boys but girls would go to school, too, and thus bring about a positive change in society over the years. We spend well under 1 percent of our budget on help. Frankly, I feel we should do more. I think the American people put forward our best face, and we can do even more.

As we eradicate disease, as we eradicate hunger, as we give people an opportunity to create their own businesses, sometimes a microenterprise, we are doing things with which most of the world will agree. In a time when we find so many in the world disagree with the United States—something I, as an American, find very disturbing—let's put forward this great face of America, a face I have known from my childhood on and all of us have known all our lives. Let's put forth this great reservoir of goodness and generosity of the American people. Let the rest of

the world see it. I guarantee, we will find a lot of other countries will step up and join us because this is something that should unite us and not divide us from the rest of the world.

Mr. President, I see the chairman is back on the floor. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky.

Mr. McCONNELL. Mr. President, I say to my colleague from Vermont, it has been a pleasure working with him over the last, gosh, I guess it is 12 years now, either as chairman or ranking member—we have been here long enough to rotate a couple of times—on this measure. He has made an extraordinarily positive contribution every year.

We labored mightily to keep this bill as bipartisan as possible. The fact that last year we were able to clear it in about six hours indicates widespread satisfaction with the measure or we would have had a lot more action. We realize that is not likely to happen on a Friday morning, but we are intent on moving this matter to completion Monday or Tuesday morning at the latest. We hope everyone will cooperate. If anyone has a measure, if it is a good idea and warrants consideration, show it to Senator LEAHY and myself, and we might agree with you; in which case, we might be prepared to take the amendments. If not, we hope we will have what few votes we expect will be needed Tuesday morning, at the latest, and move on to final passage.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that there now be a period for morning business with Senators permitted to speak for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. McCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SUPREME COURT CONFIRMATION DEBATES

Mr. McCONNELL. Mr. President, somewhere out there in our country

today walks the next Justice of the Supreme Court of the United States. Very soon, this Senate will begin to debate that person's confirmation. We don't know yet the nominee's professional background or experience, but sadly, if the past is any guide, we do know what kind of reception that nominee is likely—likely to receive. That is why I rise to speak today.

No one would argue that some recent Supreme Court confirmation debates have been less than ennobling. But it doesn't have to be that way. The experiences of Justices Ginsburg and Breyer by any standard, two very liberal nominees—when my party was in the minority, prove that we can make Senate confirmation to the High Court a rational and orderly process. Sadly, whenever the nominees are named by Republican Presidents, that doesn't seem to be the case.

After recent media reports, I am concerned we may have a circus rather than a dignified confirmation process. Specifically, the Washington Post reported last week that some of our friends on the other side of the aisle have a three-part strategy to defeat the next Supreme Court nominee.

First, according to the Post, they plan to complain that consultation by the President, no matter what the amount, is not sufficient. Second, they plan to paint the nominee as "extreme." Finally, when all else fails, they will object that documents produced in relation to the nominee are somehow inadequate.

I am troubled because we are already beginning to see the first salvos in this three-pronged plan of attack. A week before there was even a vacancy, our Democratic colleagues sent a letter to President Bush demanding that he consult with them. Senator SCHUMER then predicted a "battle royal" unless the degree of consultation satisfied him.

My good friend from Pennsylvania, the chairman of the Judiciary Committee, Senator SPECTER, expressed the frustration of many of us on this side of the aisle when he went to the floor to appeal for civility. As he said so well, "It is hardly the time to be looking to pick a fight."

The fact is, the scope of consultation that President Bush has engaged in is unprecedented. Let me repeat: The scope of consultation that President Bush has engaged in is without precedent. He and his staff have reached out to over 60 Senators from both parties individually to solicit their opinions. The President has had meetings with the Democratic leader and the ranking member of the Judiciary Committee. He has laid his door open to any and all suggestions our friends on the other side of the aisle would care to give. Yet some of our Democratic friends now complain that his extensive outreach is not enough. They demand that the President give them the names of the people he is thinking about nominating. They want, in effect, to serve as co-Presidents by co-nominating a replacement to the Supreme Court.

Despite what some on the far left may say, no fair-minded person can conclude that President Bush has not adequately consulted with the Democrats. He has done more than the Constitution requires by far, and more than his predecessors did. He has consulted with the Senate. Case closed.

Let us now turn to chapter two of the playbook to defeat the nominee: Distort and destroy the nominee's record and character. I have been in the Senate for the last seven Supreme Court nominations. Sadly, there is a historical pattern of devastating, defamatory attacks on honest men and women who just happen to be nominated to the High Court by Republican Presidents. Take what was said about one current member of the Court. During his nomination hearing, he was denounced for his "consistent opposition to women's rights." We were told this nominee's actions "revealed an extraordinary lack of sensitivity to the problems women face in the marketplace, as well as an extraordinary lack of sensitivity to the Equal Employment Opportunity Act." This was what was said about this current member of the Supreme Court. We were told this nominee had a "propensity to find against a female plaintiff," that his judicial decisions "have flown in the face of the applicable law as duly passed by Congress," and his record "raises the question of whether he can fairly, judiciously, and impartially review those cases which will reach him as a Justice on the Supreme Court."

These incredibly harsh criticisms were made by the National Organization of Women. The nominee? Associate Justice John Paul Stevens, appointed to the Court by President Gerald Ford in 1975. Many of Justice Stevens' opinions have brought no small measure of joy to the very same liberal activists who denounced his nomination in such extreme terms. Unfortunately, such hyperbolic attacks have been an almost inevitable fate of Supreme Court nominees of Republican Presidents. I repeat: that has been the fate of Supreme Court nominees of Republican Presidents.

Let me give a more recent example regarding another current Justice. Before this person's confirmation hearing, one liberal activist group concluded the nominee's "opinions and legal briefs threaten to undo the advances made by women, minorities, dissenters, and other disadvantaged groups." And during his hearing, this group said it was "convinced that [this nominee] will not protect the rights of those suffering discrimination on the basis of race, gender, ethnicity, religion, sexual orientation, or literacy."

Nan Aron of the Alliance for Justice made these accusations. I notice Ms. Aron's group and more like it are just as ready to pounce on the new nominee today.

Who was she talking about? Justice David Souter, appointed to the Supreme Court by President George Her-

bert Walker Bush in 1990. It is hard to believe, but true. Such personal invective and histrionics bore no rational relationship to Justice Souter's record and, once again, I doubt these same groups would have a problem with Justice Souter today.

It wasn't just liberal interest groups who made such sharp criticisms of Justice Souter, however. Our colleagues on the other side also questioned Justice Souter's fitness for the Court. For example, the distinguished senior Senator from Massachusetts, Mr. KENNEDY, said,

If Judge Souter joins the current closely divided Supreme Court, he will solidify a five-to-four anti-civil rights, anti-privacy majority inclined to turn back the clock on the historic progress of recent decades. If so, literally millions of our fellow citizens will be denied their rights as Americans to equal opportunity and equal justice under law.

That was Senator KENNEDY in 1990, asserting that the Senate's confirmation of Justice Souter actually risked turning back the clock and jeopardizing the rights of millions of Americans.

We all know that didn't happen. I can only hope that, realizing that, my friends on the other side of the aisle will stop and take a deep breath before attacking the nominee this time around. However, it appears these same old groups are singing the same old song. The ink was not even dry on Justice O'Connor's resignation letter when the far left again began ratcheting up the same tired rhetoric, complaining that the "sky was falling" courtesy of a Supreme Court appointment by a Republican President.

For example, People for the American Way complained, in its usual fashion, that "our very national identity hangs in the balance." And MoveOn.org, a group so far out of the mainstream that it promoted a pacifist response to the 9/11 terrorist attacks, and yet is a major funding source for Democratic candidates, predicted that the nominee would be an "extremist who will undermine the rights of individuals and families."

These left-wing attack groups are loaded for bear and have one thing in common when it comes to a Republican President's nominee for the Supreme Court: Their favorite letters in the word "nomination" are N-O.

So that is why I am a bit apprehensive of the impending Supreme Court confirmation. I think this Senate can have a fair, dignified debate that the country will be proud to see. There is no reason we should not. I believe Senators should be passionate in their beliefs and stand up for what is right. I am not asking anyone to be muzzled. All I am asking for is a little bit of civility, civility and compassion for the man or woman who will soon be named to be the next Justice of the Supreme Court of the United States. Why don't we try looking at the nominee's record? Let's argue the facts. But I urge my friends on the other side of the

aisle, don't prejudge. Don't start up the attack machine, don't declare war and begin the reflexive demagoging of qualified Republican nominees, regardless of who they are.

According to a USA Today article, a recent Gallup Poll found that 86 percent—no small majority—86 percent of Americans believe that our Democratic friends will try to block President Bush's Supreme Court nominee for "inappropriate political reasons." The public is beginning to see this knee-jerk opposition for what it truly is: confrontation for confrontation's sake.

I hope this is not the path we take. According to history, according to media reports, according to the overheated rhetoric of the left-wing fringe groups that have already began gnashing their teeth, it looks that way. But it doesn't have to be that way. Here is what we should do. We should have a fair process. We should treat the nominees with dignity and with respect. And we should have the Court at full strength when it starts its new term on the first Monday in October, October 3.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE SUPREME COURT

Mr. REID. Mr. President, briefly in response to my friend from Kentucky, the distinguished majority whip, I agree with him. We should have a civil debate on the Supreme Court nominee. That is going to happen based on what the President has done to this point.

He met with me in a one-on-one meeting prior to the resignation of Sandra Day O'Connor. He called me the day she resigned. There was a meeting this past Monday in the White House with Senator FRIST, this Senator, and the two leaders of our Judiciary Committee. I thought it was a very good meeting.

What happens regarding a Supreme Court nominee is dependent on the President. From all the indications I have gotten, he does not want a big battle, nor do we. I am hopeful and confident that will be the case.

However, I say directly to my friend from Kentucky, there is no reason we can't make the October 1 date if the President selects someone next week or the week after or the week after that. We can have the FBI working. We can have the Judiciary Committee staffs working. The first or second week in September, there can be hearings that last a week. Everyone can ask all the questions they want. Especially if it is a Supreme Court Justice who is one the President thinks, and he indicated

he would allow us to—certainly I would like to conominate, but I know that is not our purpose in the Senate. He did indicate if there is someone who is deserving of a red flag for reasons that maybe he does not anticipate, we can maybe help in that regard.

Keep in mind, Sandra Day O'Connor, being the brilliant woman she is, made her resignation effective upon appointment of her successor. It would be better if we had the new Supreme Court Justice when they begin their Court hearings in October. We are going to try to do everything we can to cooperate in that regard. If it does not happen, Sandra Day O'Connor will still be there. During this period of time, the summer months, she is still handling her circuit duties, doing everything she needs to do as a member of the Supreme Court. I admire her for not making the resignation effective upon the President receiving that letter. Everyone should cool the rhetoric and see what will happen. The ball is in the President's court.

As has been indicated, a significant number of names were discussed with him. We did not discuss anyone with him in a negative tone. Every person we talked about with him was positive, some of whom he knew, some he knew personally.

I am hopeful this will all work out for the good of the country. When I say "good of the country," it would be better for everyone—the President included, the Democrats and Republicans in the Senate—that we did not have a protracted problem in the Senate regarding Sandra Day O'Connor's replacement. We would do her honor by having someone move into this position without a lot of problems.

MISALLOCATION OF SENATE TIME

Mr. REID. Mr. President, my friend, the distinguished majority leader, noted this morning that we have been in session for over 6 months. That is certainly true. My colleague from Tennessee is correct, we have made progress over these last 6 months.

But it is important to the American people that the other side of the story, as Paul Harvey says, is also told. What is that other side of the story? He cited progress we have made but made no mention of the wasted time in this Senate on the so-called judicial option, the nuclear option. The time we wasted there was multiple weeks. I don't know if anyone has kept an accounting of the exact time, but the rough calculation I have made is more than one-third of the time we have been in session—about 89 days—we have devoted all or most of 30 days to that issue. More than one-third of the time we have spent in the Senate was spent on the so-called nuclear option.

What did that involve? First of all, we approved, prior to starting, 208 of the President's nominees and turned down 10. The President, as soon as he was reelected, renominated 7 of the 10

we turned down. Three of the individuals decided they did not want to be judges or they did not want to go through the process. One of the judges retired who the President recess appointed. We spent more than one-third of the Senate's time on seven judges.

From the very beginning of the President's reelection, we said with two of them, there is no problem, the two Michigan judges. No problem whatever. Just bring them here, we will vote on them, and they can go through.

The reason they were turned down earlier is because of all the problems in the past when the majority at that time—the Republicans sometimes were in the minority; it flipped back and forth; but they would not allow some judges who came from Michigan. It was a procedural problem. Upon the President's reelection, we said: You have those two Michigan judges. So we have spent one-third of the Senate's time on five people, five nominees.

These people could be members of the President's family, but would you spend one-third of the Senate's time on that while leaving important issues dealing with this body alone, ignoring them and rejecting them? I don't think so. But these were not members of the President's family but people who wanted to be judges. What did it amount to when we finished? Out of the five, three have been chosen as judges, two were not. It boiled down to three people. That is what it amounts to. I don't think that is a good allocation of our time, and that is a gross understatement.

Not a single day have we spent in this Senate dealing with health care—not a debate on health care, let alone legislation. I don't think we can find a person anywhere in America who would not say, Boy, this problem with health care is significant. Why do they feel that way? Because 45 million Americans have no health care, and millions more are underinsured, meaning they have insurance but it is not very good. This problem is affecting the very core of our society.

Employers know their employees are happier and they are better employees when they have health insurance. Why did these employers not have health insurance for their employees? They are not mean. They are not miserly. They have no health insurance because they cannot figure out a way to get it. With the present state of our society, employers all over America cannot buy health insurance. Once they buy it, it is canceled if someone gets sick or is in an accident. It is a problem we should be spending time on. Ignoring it does not do the trick.

Education. I have said in the Senate, and I will say it again, I met some time ago with all 17 superintendents of schools of the State of Nevada. We have a wide range of sizes of our school districts. The Clark County school district, Las Vegas, has about 300,000 students. It is one of the largest school districts in all of America. That was